Ms. Owens,

Thank you so much for taking my comments and for watching over this important process. I'll get right into it. The following are comments and questions that I had while reading through the Tentative Waste Discharge Requirements (WDR), the Cease and Desist Order (CDO), and even the Report of Waste Discharge (ROWD.)

COMMENTS RE: THE TENTATIVE WDR

Pg 4, #15…

"SSFL has the potential (based on a 24-hour duration, 10 year return storm event) to discharge a total of approximately 168 million gallons per day (MGD) of storm water runoff that has the potential to contain pollutants from the facilities."

Yet, Page 2, #6 of the CDO states that the "SSFL has the potential to discharge a total of approximately 272 million gallons per day (MGD) of storm water runoff and wastewater that has the potential to contain pollutants from the facilities." Is the difference of 104 MGD the wastewater that comes off the site each day that is not considered storm water runoff? If so, what are the uses of this 104 MGD on the site each day that is contributing that much wastewater runoff? If the 104 MGD is not wastewater then why is there a discrepancy between the two numbers? In all of the paperwork on the facility that I've seen the number used always seems to be 272 MGD – has something changed?

#16…

"An extensive groundwater remediation/investigation program has been ongoing at the SSFL, has included pumping, treating and storing groundwater at the facility. In July 2004, this system was composed of eight treatment systems, five active and three inactive, which have the capability of producing up to 578 million gallons per year of groundwater treated to remove the volatile and, in some cases, semi-volatile organic compounds. The treatment system was not designed to treat other pollutants such as perchlorate or metals."

Since a total of approximately 272 million gallons per day (MGD) of storm water runoff and wastewater can potentially leave the site each day it seems that being able to treat 578 million gallons a year is far from a solution. Are there going to be more treatment systems added to the site that bring this number closer to treating the amount of water coming off the site?

#16…

"Groundwater treatment operations at the facility were terminated in September 2005 after the Topanga Fire destroyed much of the piping utilized to transport the water around the site."

Why were these treatment systems terminated? It's true that alone they weren't solving the problem, but it seems that the answer is more treatment not less.

#17…

"Groundwater treatment is scheduled to resume in late 2009."

Again, why isn't the groundwater being treated now? And once the treatment system resumes how much water will be treated a day?

#18…

"The STP1 and STP3 basins are currently used as collection points for wastewater generated onsite. Every few days, vacuum trucks transport the accumulated waste off site for treatment."

Could more contaminated water be trucked offsite for treatment instead of having it flow off the site into communities and waterways of the U.S.

#19…

"If the supply of reclaimed water exceeds requirements, the R-1 Pond will overflow into Perimeter Pond; excess water from Perimeter Pond will then flow south to Bell Creek through Outfall 001. Discharges through Outfall 001 are rare, and will usually only occur after rainfall over an extended period."

"If the supply of reclaimed water exceeded requirements, the water was discharged to the south through R-2A Pond, and then to Bell Creek through Outfall 002."

"Industrial operations onsite historically discharged untreated wastewater directly to either constructed or natural drainage areas and streambeds. The wastewater flowed to ponds located onsite and was subsequently used in other industrial activities such as quenching operations during engine tests. These natural drainage areas and streambeds are waters of the United States."

Could other manmade holding ponds be built onsite that allows more water to stay on site and get treated before leaving the SSFL property?

#20 & 21…

"The five active ponds used historically for collection and storage of reclaimed water are:

R-1 Pond - capacity 3.7 million gallons
Perimeter Pond - capacity 1.3 million gallons
Silvernale Pond - capacity 6.0 million gallons
R2-B Pond - capacity 200,000 gallons
R2-A Pond - capacity 2.5 million gallons

SSFL has the capability to redirect the flow in each of the five ponds via unlined channels, water lines, or pumping into water storage tanks as follows:

R-1 Pond - Flow may be discharged to Perimeter Pond or pumped to the Reclaimed Water Storage Tanks.

Perimeter Pond (PP) - Flow may be released to Bell Canyon or pumped to R-1 Pond.

Silvernale Pond - Effluent flows by gravity to R2-A Pond.

R2-B Pond - This pond is a silt inlet to R-2A Pond. Flow goes directly to R-2A Pond.

R2-A Pond - Flow may be released to Bell Canyon or pumped to Silvernale Pond."

The bottom line is that all of this water flowing over contaminated areas of the SSFL should not be released offsite into waterways of the U.S. until it is treated and within safe levels. It is not fair to all who are using this water in their daily lives – drinking it, children playing in it, people watering their fruits and vegetable with it, etc…

#23…

"Wastewater discharges to surface waters will occur solely from the Groundwater Extraction Treatment System (Outfall 019), when it begins operations."

When will this treatment system begin operations – is this the treatment system set to begin in late 2009?

#27…

"Many of the areas that discharged wastewater to the drainage areas and streambeds are associated with activities that are being regulated by DTSC under RCRA."

Can you explain the overlap between your agency and the DTSC? Who will be responsible for what? And what precautions will be taken to ensure that all areas are covered. Does your agency ultimately have final say over all issues relating to the water flowing off of the SSFL site?

#29…

"The operations evaluated at SSFL during the development of Order R4-2004-0111 and the agency (RWQCB or DTSC) with primary oversight authority and the NPDES outfall number associated with the operation if the Regional Board has oversight are listed below…"

The list on this page shows that oversight is different depending on the area – why is this the case? And, do you consider this to be the safest way to oversee these problems?

#29…

"Operations at the test stands (Outfalls 012 – 014) and the sewage treatment plants (Outfalls 015 – 017) have ceased. No further process waste discharges are expected from these areas."

But will these outfalls continue to be monitored since these areas are still under investigation and have yet to be fully cleaned up?

#30…

"During storm events the discharge from Outfall 019 will be piped downstream of the engineered BMPs located at Outfall 011 but prior to the area where the sample is collected. Therefore, the sample collected at Outfall 011 during storm events will have mixed wastewater; storm water runoff and effluent from the groundwater treatment unit."

Does this mean that samples will not be taken from outfall 19 as well?

#32…

"Past operations at SSFL have resulted not only in contamination of the groundwater with volatiles but also with various types of surface and near surface soil contamination. Previous investigations and sampling has confirmed the presence of elevated concentrations of mercury and perchlorate in soil, which has been present in storm water runoff in elevated concentrations. The persistent transport of these contaminants offsite in storm water requires that these contaminants have effluent limits in this Order."

Since water is flowing from one area of the SSFL site into other areas and eventually offsite, are all monitoring locations sampling for all possible contaminants of concern? It seems clear that these contaminants are moving all across the site, and just because a certain contaminant was used near one outfall it doesn't mean that it can't be found across the site at another.

#36…

"Storm water runoff from the northwest slope of the facility is monitored at Discharge Outfalls 003, 004, 005, 006, 007, 009, and 010 which discharge towards the Arroyo Simi. The outfall locations near the Northwest slope are located such that they capture runoff from past and existing radiological facilities."

Are all outfalls being monitored for all possible radiological contaminants that were used on the site?

#40…

"Since the five active RCRA permitted treatment systems are not designed to treat perchlorate, the Discharger has in some instances terminated the treatment of the pumped groundwater from the locations where perchlorate has been detected."

But, aren't these treatment systems helping with regards to other contaminants? And, isn't there a treatment system that they can use that is designed to treat perchlorate? Also, the WDR states that in "some" instances the treatment of the

pumped groundwater was terminated, so in which instances did they leave the treatment systems on?

#42…

"The data collected was used to evaluate reasonable potential of the discharge to exceed applicable requirements and **if warranted**; effluent limits were implemented for the discharges in Order Nos. R4-2006-0008 and R4-2006-0036."

What does the "if warranted" part mean? At what point would this become "warranted?" And, why do we have to wait to place these effluent limits on this area?

#44…

"The water reclamation system at SSFL is no longer operational."

Why is this reclamation system no longer operational?

#50…

"Surface water discharges from the north west edge of the SSFL are directed to Arroyo Simi a tributary located in the Calleguas Creek Watershed. Supplies of groundwater are critical to agricultural operations and industry (sand and gravel mining) in this watershed. Moreover, much of the population in the watershed relies upon groundwater for drinking. Since groundwater from these basins is used to provide drinking water to a large portion of the population, Title 22-based limits are needed to protect that drinking water supply. By limiting the contaminants in the SSFL discharges, the amount of pollutants entering the surface waters and groundwater basins are correspondingly reduced. Once groundwater basins are contaminated, it may take years to clean up, depending on the pollutant. Compared to surface water pollution, investigations and remediation of groundwater are often more difficult, costly, and extremely slow. For these reasons Title 22-based limits will remain in the NPDES permit where there is reasonable potential."

Isn't the groundwater already badly affected by TCE? And, is TCE one of the contaminants sampled for at ALL monitoring locations? Also, regarding Title 22, isn't there "reasonable potential" for these requirements to stay in the permit simply due to the contaminants that were used up at the SSFL and previously found in the waters of the SSFL?

#58...

"Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions where effluent limitations may be relaxed."

Does this mean that some of the effluent limitations are going to be relaxed? And, what would be the purpose for relaxing some of the effluent limitations?

#66…

"Many of the beneficial uses stipulated are intermittent for Dayton Canyon Creek, Bell

Creek and the Arroyo Simi. The discharges from SSFL in many cases provide a significant portion of the headwaters for these waterbodies, specifically for Dayton Canyon Creek and Bell Creek. Since there is little assimilative capacity for Dayton Canyon Creek and Bell Creek, a dilution factor is not appropriate and the final WQBEL should be a numeric objective applied end-of-pipe. The assimilative capacity for Arroyo Simi, which is the receiving water for storm water discharges from the northern boundary of SSFL, has not been evaluated and consequently no dilution has been given for discharges to that receiving water."

I'm not sure that the best answer for fixing this problem is found in diluting the problem. It seems that the problem needs to be fixed at the source, especially since a good amount of water coming off the SSFL site is also going through natural waterways that aren't being monitored, and most likely would not be included in the diluting process.

#71…

"RPAs were performed for each of 126 priority pollutants for which effluent data were available. The basis for each RPA determination is identified in the attached Fact Sheet, which is part of this Order. The input data for the RPAs were provided in the Self-Monitoring Reports submitted by the Discharger. One RPA was performed for discharges from Outfalls 001 and 002, which are composed of treated wastewater, water from the groundwater treatment systems, excess reclaimed water, water from the engine test stands, and storm water. Four analytes had reasonable potential to exceed WQBELs: copper, lead, mercury, and TCDD. Three of these analytes (copper, lead, and mercury) had effluent limitations in the previous order."

"Effluent limits for a number of volatiles, which were included in the current Order and are believed to be present in the groundwater contaminant plume, have also been included in this Order."

What contaminants that were used at the SSFL do not have effluent limitations placed on them, and isn't there a potential for any contaminant used up at the site to exceed WQBELs? And, are there split samples taken by the LARWQCB during all of the self-monitoring by the discharger, and if so what percentage? I'm hoping that the answer is yes, and that the percentage of split samples is high.

#71…

"Cyanide was detected only once during the period evaluated at a concentration of 5.8 micrograms/liter (µg/L). That detection triggered the reasonable potential since it exceeds that calculated average monthly effluent limit (AMEL). However, the discharges evaluated are storm water only discharges, which do not have monthly average limits. When the maximum effluent concentration (MEC) of 5.8 µg/L is compared to the maximum daily effluent limit (MDEL) the MEC is less than the MDEL. Consequently, Order R4-2004-0111 does not include an effluent limit for cyanide in the storm water only discharges."

Why does this order not include an effluent limit for cyanide? Again, I don't understand why there aren't effluent limits placed on all contaminants that have been used up at the SSFL that could put the public in danger.

#73…

"Step 7 of SIP Section 1.3 recognizes that in certain instances a rote, mathematical analysis of the data will not be sufficient to protect beneficial uses. Step 7 therefore reserves for the Regional Board the obligation to "review other available information to determine if a water quality-based effluent limitation is required, notwithstanding the above analysis in Steps 1 through 6, to protect beneficial uses." Among the factors the State Board identifies as relevant to the Step 7 analysis are: the facility type, discharge type, and potential toxic impact of the discharge. With respect to the Facility, the Regional Board finds sufficient, unusual circumstances to require a water quality-based effluent limitation for trichloroethylene (TCE). Data and testimony indicate that approximately 530,000 gallons of TCE were released to the soil and groundwater at the Facility. The tremendous volume of TCE released at the site warrants significant scrutiny. While recent monitoring data do not show TCE in surface water discharges, scouring from large storm events may release soils with adsorbed TCE. The large volumes of TCE in scoured soils may become chemically available in the surface water runoff and cause or contribute to an exceedance of the water quality standard. In addition, the existing monitoring data has been collected far downstream from on-site sources. The data may not reliably indicate the presence of TCE in waters of the United States because the turbid conditions may have volatilized the TCE before it reached existing monitoring points (Outfalls 001 and 002). Further, contamination is spotty and not completely characterized; pathways are not always predictable and are not fully characterized; and the site is in a hilly environment with uncertain pathways and seeps which could possibly lead to surfacing of water with contamination that cannot be predicted. Finally, TCE is a probable carcinogen that can cause skin rashes on contact, and when ingested has been associated with liver and kidney damage, impaired immune system function, and in large volumes unconsciousness, impaired heart function, or death. Considering the toxic nature of TCE and that past practices at the site released extraordinary volumes of TCE into the environment that can leach into surface water through the scouring from storm events, and further considering that the existing monitoring data may not be representative of direct discharges to waters of the United States since the data were collected downstream of the initial discharge, the Regional Board has determined that a water quality-based effluent limitation for TCE is necessary to protect beneficial uses."

All of the examples and reasoning behind why TCE has been given an effluent limitation could also be made for every other contaminant used on the SSFL site. Therefore, I believe that all contaminants used on the SSFL site should be sampled for and given effluent limitations. Sufficient and unusual circumstances exist for all the radionuclides, metals, pcb's and other contaminants used on the site. If the information from the WDR above is read again and most other contaminants are put in the place of TCE it still reads true.

Also, if sampling is not sufficient for finding TCE then perhaps it is also insufficient for finding other contaminants as well.

#80…

"After the adoption of Order R4-2004-0111, the Discharger collected data at **most** of the new compliance locations specified in the Order. This Order (R4-2006-0008) amends Order R4-2004-0111 and includes effluent limits for the constituents that have, as a result of the monitoring and compliance sampling, demonstrated reasonable potential (RP)."

Why did the Discharger only collect data at "Most" of the new compliance locations and not at all of them?

#81…

"The Technical Support Document (TSD) for Water Quality-based Toxics Control (EPA/505/2-90-001) methodology for evaluating RP was used for all other constituents of concern (Page 53, Box 3-2). This evaluation resulted in statistical RP for iron, manganese, settleable solids, MBAS, TSS, perchlorate, nitrate +nitrite as Nitrogen, oil and grease, sulfate, BOD, and total dissolved solids. Effluent limits for barium, fluoride, residual chlorine and chloride were retained after the completion of the BPJ analysis."

Are the effluent limits placed on these contaminants from a nationwide standard or are they chosen specifically for the SSFL site?

#81…

"Outfall 008 was a monitoring location for perchlorate and had no data for other priority pollutants."

Since there's an outfall there that can be monitored why not monitor for other priority pollutants and contaminants of concern as well?

#85…

"The storm water discharges (Outfalls 003 through 010) did not have reasonable potential for zinc. Outfalls 003 through 007, 009, and 010 flow to Arroyo Simi, a tributary to Calleguas Creek. However, discharges from Outfall 008 flow to the LA River, which has the LA River Metals TMDL that provides a WLA for zinc. That WLA has been incorporated as an effluent limitation at Outfall 008 only. The LA River Nutrient TMDL requires WLAs for ammonia-N, nitrate-N, and nitrite-N, which were also included for this outfall."

Does this mean that there are more protective regulations set in place for waters that flow into the LA River than the waters that flow into Arroyo Simi and the Calleguas Creek?

#88…

"The developed portion of the site has a number of areas of concern that are included in the RCRA assessment and cleanup proceeding with DTSC oversight. Each of these areas has the potential to contribute contaminants to the storm water runoff traversing it. Since Outfalls 011 and 018 are near the boundary of the developed portion of the site, the Regional Board has decided to retain them as compliance points with numeric effluent limits. However, runoff from a couple of areas of concern may not be captured in monitoring which occurs at these outfalls. Therefore, the Discharger will be required to continue monitoring at Outfalls 001 and 002."

I'm glad that outfalls 1 and 2 will continue to be monitored.

#88…

"A "benchmark" is a water quality based effluent limit or a performance based limit that is used to evaluate the performance of BMPs with regard to the removal of contaminants present in the discharge. In this permit, the benchmarks are established based on water quality based effluent limits. Exceedance of a benchmark triggers an evaluation of the BMPs implemented at the site. The evaluation may determine that the BMPs require augmentation, upgrade, or replacement. If so, the Discharger must update the BMP Compliance Plan, secure the required approval from the Executive Officer, and implement the required upgrades."

All "Benchmarks" should be effluent limitations that not only let everyone know that there was an exceedance but also allows for a violation to occur which will push the discharger to work harder to rectify the situation and put the correct BMP's in place to stop violations which will continue to cost them money. To put it simply, benchmarks do not carry the same weight as violations and therefore do not provide the best possible protection for the public.

#90…

"The Topanga Fire resulted in significant alterations to the site. The exposure of the surface soils with no vegetative cover to runoff has increased the potential for the transport of those surface soils and associated contaminants offsite as a result of the fire. **The fire created runoff conditions at SSFL over which the Discharger has limited control**."

I'm not sure if this statement is suggesting that although they have "limited control" they should have more control, or if it is suggesting that "limited control" is all that is possible. Does the board believe that this limited control of the runoff is as good as it can get after the years that have passed since the fire in 2005?

#90…

"It further states that the "perennial plant cover differed by significantly more than 30 percent between burned and unburned transects, total vegetative cover differed by significantly greater than 20 percent cover and ground cover differed by significantly more than 30 percent cover." The executive summary also states that the burned chaparral and scrub vegetation will likely recover to near pre-fire conditions within five to ten years."

Does this mean that Boeing is expected to and will continue to release contaminants at a higher rate into the waters of the United States until at least 2015?

#91…

"Years of testing have resulted not only in groundwater contamination but in surface and subsurface soil contamination. These contaminants may be mobilized by storm water traversing these areas. Therefore, this Order includes a requirement to implement BMPs around these areas and to monitor the storm water runoff for contaminants of concern. The previous effluent limits for discharges from the engine test
stands provide benchmarks, to evaluate the effectiveness of the BMPs with controlling the transport of contaminants from the areas."

Does this mean that what used to be effluent limits that came with violations around these test stands has now become benchmarks that don't result in a violation if the Discharger releases contaminants into the waters that flow off the SSFL site?

On Pg 41, with regards to the effluent limitations for Cadmium and Selenium…

"Effluent limit applies only during wet weather discharges. Wet Weather conditions occur between October and March."

"Effluent limit applies only during dry weather discharges. Dry weather conditions occur from April through September."

Why are there only limitations placed on these contaminants during discharges that either occur during dry weather discharges or wet weather discharges? Why aren't limitations placed on these contaminants during any type of discharge?

On Pg 42…

Where do the "Limitations Daily Maximum" numbers come from that are on this page?

On pg 45…

"With the exception of Outfalls 001 and 002, in the event that an effluent limitation set forth above for a pollutant other than a radioactive material is exceeded and the

Discharger presents within 30 days of the date of discovery documentation that (i) discharges from a solid waste management unit (unit) regulated by DTSC are causing or contributing to the violation, and (ii) the Discharger was in compliance with all applicable requirements of DTSC permits and corrective action requirements for the unit, and (iii) modifications to DTSC's permit or corrective action requirements are necessary to consistently comply with this Order, then the Discharger, DTSC, and Regional Board will work cooperatively to develop a schedule that is as short as possible to take appropriate actions under the RCRA corrective action requirements or permits, as appropriate, to ensure compliance with this Order. This Order may be reopened and modified, in accordance with applicable laws and regulations, or a Time Schedule Order issued to incorporate appropriate interim limits while the appropriate actions are being taken under the RCRA corrective action requirements or permits."

This seems to state that if a pollutant exceeds it's limit within the laws set in place that it will not be counted as a violation - with the exceptions of outfalls 1 & 2, and radionuclides – but aren't these exceedances just as harmful to the public as any other exceedances that have been put in place to protect the public?

Pg 47…#4-a-2…

"If either of the above requirements (Section I.C.4.a.1) is not met, the Discharger shall conduct six additional tests over a six-week period. The discharger shall ensure that they receive results of a failing acute toxicity test within 24 hours of the close of the test and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the discharger may resume regular testing. However, if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the sources of toxicity. Once the sources are identified, the Discharger shall take all reasonable steps to reduce toxicity to meet the objective."

Why is the Discharger given so many chances to fix this problem of toxicity in the water without being given an actual violation? Why are they allowed to conduct six additional tests when this happens, followed by the opportunity if two out of six of the tests still show a problem to begin a Toxicity Identification Evaluation to try and identify the source of the problem. Then, when they identify the problem they are supposed to take "reasonable" steps to meet the "objective" or law set in place? Yet it seems that they are not given a violation for breaking the law, followed by a fine to actually cause them some sort of pressure to fix this problem. Am I understanding this correctly?

Pg 49…

"If a toxicity identification evaluation (TIE) is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor) (See MRP Section IV.E.3. for guidance manuals)."

If it is necessary to conduct a T.I.E. then why is it left up to the Discharger to perform? Shouldn't there at least be split samples taken since this step is being done at the point where a problem has already been found?

Pg 49…

"The following sediment interim WLAs are effective as sediment limitations from through June 26, 2014 (five years from the effective date of this permit)."

Why are these interim measures being put in place opposed to solid limitations?

Pg 52…

"If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect four additional samples as early as flow is available during the month. All five analytical results shall be reported in the monitoring report for that quarter, or 45 days after results for the additional samples were received, whichever is later.

When all sample results are greater than or equal to the reported Minimum Level (see Reporting Requirement II. C. of M&RP), the numerical average of the analytical results of these five samples will be used for compliance determination.

When one or more sample results are reported as "Not-Detected (ND)" or "Detected, but Not Quantified (DNQ)" (see Reporting Requirement II. C. of M&RP), the median value of these four samples shall be used for compliance determination. If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values."

Does this mean that if one sample is taken that is over the limit it will not count as a violation, but instead, more samples will be taken and the average of all the samples will be what is counted as the sampling result? Why is it done this way? Why are they averaged opposed to the first occurrence being counted as a violation, with all occurrences to follow also counted as violations? I do think that more samples should be taken after the initial occurrence, but each sample that is over the limit should be counted as a separate violation.

Also, with regards to the section that states, "If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values" – why is the lower of the two chosen? Wouldn't it be more protective to assume that the higher sample is correct?

Pg 54 - #8…

"So long as the Discharger has complied with the procedures set forth above and is implementing the revised BMP plan and its components, the Discharger does not have to repeat the same procedure for continuing or recurring exceedances of the same effluent limitations or receiving water limitation unless directed by the Regional Board to develop additional BMPs."

What sort of time frame is the section above referring to? In other words, is it referring to the same type of exceedance within the same 30 day period while the BMP is being implemented, or is the time frame longer than that? Because I believe that the Discharger should be facing violations for every exceedance – if anything this would add pressure for them to set up a BMP and make sure that it's effective as fast as possible.

COMMENTS RE: THE CDO

Pg 2, #7, of the CDO…

"Outfall 008 – This outfall is located in the area commonly referred to as Happy Valley. The entire watershed covers approximately 62 acres."

It is my understanding that the area encompassing Outfall 008 is actually 348 acres. Why is it estimated to be a much smaller area in the CDO?

Pg 3, #8…

"On July 30, 2004, a Petition from Committee to Bridge the Gap for Review of Regional Board Order No R4-2004-0111 was filed. The petition requested a stay of the requirements included in Order R4-2004-0111 to the extent it would remove water quality based effluent limitations for certain metals and volatile organic compounds applicable to seven outfalls at the site. On September 17, 2004, the State Board adopted Order WQO 2004-0014, which denied the petitioners request."

Why was the petitioner's request denied? Wouldn't the petitioner's request add a more protective requirement of the discharger by making them responsible for effluent limitations for these metals and volatile organic compounds?

Pg 3, #11…

"In a letter dated April 14, 2005, the Permittee, in response to the March 14, 2005 NOV, submitted a report detailing corrective actions taken. The Permittee asserted that most of the exceedances are the result of natural causes and/or new constituents, effluent limits or methodologies in the renewed permit. The Permittee also asserted that they planned to request that the permit be modified to remove permitted discharges that were generated by operations that have been terminated (sewage treatment plants)."

How could the Permittee assert that natural causes are to blame for exceedances – doesn't' the fact that they are exceedances pretty much mean that they are contaminants that are above the natural background found in the area/water?

Pg 8, #2…

"Compliance for storm water runoff discharges from Outfalls 008 and 009 from June 26,

2009, to June 26, 2012 shall utilize the final effluent limits that appear in I.B.4. of Order R4-2009- 00XX as benchmarks. Exceedance of benchmarks triggers an evaluation of the BMPs in place with the potential for upgrading or replacing the BMPs (see Section II.C.7. of Order R4-2009- 00XX)."

Why are the effluent limits being changed to "Benchmarks" here? Aren't the contaminants that flow off the site at these outfalls just as dangerous as they always were? So, why are the violations that the Discharger would have to pay taken away when they are still in violation of the regulations set in place?

COMMENTS RE: ROWD

I'm not sure if the ROWD is one of the documents that is supposed to be commented on, but I do have a few questions regarding this document.

First of all, I didn't see a category on the list for each outfall that shows what was found when sampling for Tritium, Strontium-90, or Perchlorate – yet on pg 42 of the tentative WDR these contaminants are listed with what their maximum daily limitations are. Did I miss where the sampling results are located for these contaminants in the ROWD?

Also, pages V-2 through V-6 (regarding Outfall 1) were missing from the ROWD that I downloaded off your website. Were these pages missing from everyone's copy? And, what are the sampling results listed on these pages?

On Pg 10 of 64 Boeing requests that the discharge limits at Outfalls 008 and 009 continue to serve as "Benchmarks" in the renewed permit, but I believe that they shouldn't have been benchmarks in the first place, and should not be allowed to continue as benchmarks. There should be effluent limitations put in place until these outfalls are no longer in violation of the laws set in place regarding the discharge of contaminants into the waterways of the United States.

Pg 13 of 64 from the ROWD discusses certain contaminants that Boeing would like to have removed from the monitoring program because they state that these contaminants haven't been found since 2004. They go on to state that "the burden in the form of continuing monitoring and reporting costs far outweighs any benefit from continued monitoring." I strongly disagree with this statement, and believe that the exact opposite is true. I believe that the lives that can be harmed by the contaminants that flow off the SSFL site far outweigh the burden of continued monitoring and that these lives should be protected.

Also, as the site continues to be worked on contaminants will be stirred up and can move into waters where they haven't been found before. Plus, all the contaminants listed have been used at the SSFL, found in the soil or water at some level, and are likely to be found in the future at some level. Therefore, every effort should be made to know what level these contaminants are at for the safety of the surrounding communities. The best way to

protect the public is to obtain more information about the site rather than less, and it seems reasonable to monitor for all contaminants that were used on the site at every monitoring station. After all, it's clear that the water on the site moves through many natural and manmade pathways as discussed in #73 of the WDR with regards to TCE, which states "pathways are not always predictable and are not fully characterized; and the site is in a hilly environment with uncertain pathways and seeps which could possibly lead to surfacing of water with contamination that cannot be predicted."

It should also be mentioned that soil has been moved from one area of the SSFL site to another in the past, and even in the last year discussions have taken place that suggest that this practice could continue. There are many reasons why all contaminants should be monitored at all locations but these are just a few.

Thanks again for taking my comments and for watching over this very important process.

Sincerely,

AJ Greenstein